

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, March 20, 1990 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Denise Civiletti, Councilwoman
Victor Prusinowski, Councilman
James Stark, Councilman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited .

Supervisor Janoski: "May I have a motion to approve the Board Meeting Minutes of March 6, 1990.

Resolved, that the Minutes of Regular Board meeting of March 6, 1990 are hereby dispensed and approved without objection.

Moved by Councilwoman Civiletti, Seconded by Councilman Stark.

The vote: Prusinowski, yes, Stark, yes, Civiletti, yes, Lombardi, abstain (absent on 3/6/90)

Councilman Stark: "Did you read them?"

Councilman Lombardi: "Pardon, no I didn't read them."

Supervisor Janoski: "OK. Reports."

REPORTS:

Jamesport Fire Dept.: Results of vote for issuance of a bond Filed

Receiver of Taxes: Report of collections as of 3/20/90
\$21,115,318.80 Filed

Architectural Review Board: Annual Report for 1989 Filed

C.A.C.: Annual Report for 1989 Filed

Open Bid Reports: 1988 Pick Up Truck/Highway Dept.
1988 Dump Truck/Highway Dept.
Baiting Hollow Cottage/Water Dist. Filed

Juvenile Aid Bureau: Annual Report for 1989 Filed
 H2M: Engineering Report for Adventure
 Island Water Extension Filed
Supervisor Janoski: "Thank you. Applications."

APPLICATIONS;

Special Permit: The Beginning Point Day Care Center Filed
 Site Plan: William Tintle, Sr. for Maintenance
 Bldg. Filed
 Change of Zone: Olin F. Warner, Overlay Recreational
 District Filed
 Special Permit: Hallockville Industrial Park Filed
 Parade Permit: Community Awareness Program for 5/18/90
 Filed
 Parade Permit: March of Dimes for 4/29/90 Filed

Supervisor Janoski: "Thank you. Correspondence."

CORRESPONDENCE:

Sandra Schwarz: Opposes the noise ordinance at
 3/13/90 Riverhead Raceway
 Carol Preston Harrison: Supports the continuance of the
 3/13/90 Riverhead Raceway
 Ray Soto: Suggesting that the decibel limit
 3/13/90 in the proposed noise ordinance is
 ludicrous
 M/M Giancarlo: Being Glenwood residents they are
 3/9/90 in favor of a noise ordinance
 Denise/Stephen Perry: Both are opposed to the noise
 3/9/90 ordinance
 Janet Floege: Opposed to the noise ordinance
 3/9/90
 Charlie Floege: Opposed to the noise ordinance
 3/9/90
 Theodore S. Perry: Opposed to the noise ordinance
 3/9/90

Margaret E. Perry: 3/8/90	Opposed to the noise ordinance and that it only specifically affects the raceway, which is discriminatory
Leonard E. Vanvuet: 3/11/90	A 60 year old resident, opposes the proposed restrictions for the raceway
Adelaide Schupferling: 3/9/90	Do not want the raceway closed, but regulate the noise level
Mary Gibson: 3/13/90	Allow race to operate as is
D. Ellen Miller: 3/19/90	As a resident of Mill Brook Park, the noise of the racetrack has gotten progressively worse over the years
Martin Sohl: 3/9/90	Glenwood resident - do not want racetrack closed, only noise lowered
Mary E. Shubert: 3/13/90	Racetrack noise should be controlled
F. & B. Gilligan: 3/19/90	Oppose the Water Amusement Park of Splish Splash
Virginia Walters: 3/09/90	Resents taxpayers money being spent to drive senior citizens around town and should be based on income, not age
Charles Cetas: 3/12/90	Totally opposed to the Boards renewal of the Broad Cove Special Permit
Elsie Schaefer: 3/7/90	Senior Citizen, long time resident of Riverhead, opposed noise ordinance because it would shut down the raceway
G. Bush & F. Bush: 3/12/90	Glenwood residents in favor of the noise ordinance
Vito Manno: 3/8/90	Commends the courteous and kind service of the men of the Senior Home Chore Program
Lennoce E. Ceberek: 3/9/90	Does not feel that anymore restriction should be placed on the raceway

Jim Schaefer:
3/9/90

Opposed to the noise ordinance for
the Raceway citing the decibel
levels to be unfair

Patricia Murphy:
3/7/90

Raceway ordinance is unfair

Suffolk/Nassau
Archaeological Comm.

Protests approval of Broad Cove and
urging SEQRA guidelines be followed

OPEN BID REPORT

One 1988 Four Wheel Drive Pickup Truck

Bid Date: March 19, 1990
1 Bid submitted

Otis Ford, Inc.
Quogue, NY
Total Bid: \$12,200.00

OPEN BID REPORT

One 1988 Four Wheel Drive Dump Truck

Bid Date: March 19, 1990
1 Bid Submitted

Otis Ford, Inc.
Quogue, NY
Total Bid: \$17,800.00

Supervisor Janoski: "Thank you. I would recognize anyone
who wishes to be heard on any subject. Yes sir."

Rob Goldman, Riverhead: "I'm extremely disappointed that
Supervisor Janoski and Councilman Prusinowski and Stark's deci-
sion to grant a Special Permit, Resolution #179 to the Broad Cove
Project... Disappointed, but not surprised. It's a dirty deal and
completely illegal. The Broad Cove Special Permit expired on
August 4th, 1988. It expired by the then Town Board. Until that
vote is overturned in court, it stands. The Special Permit is
dead. Like I said, I'm not surprised that the Supervisor has
engineered the resurrection of this project. Maybe he was feel-
ing the Easter spirit a little early. However, I am mystified by
the performance or rather the nonperformance of our Town Attorney
in this matter. When the permit was denied by the Board and Mr.
Felske, the Broad Cove Developer, sued the Town, I have it on
good authority the Mrs. Moore advised the Supervisor to settle

the case right then and there. After Mr. Felske lost the case, I have it on excellent authority the Mr. DePetris who is serving as counsel for the Board, told the Board that Felske would lose, not win, the appeal he was bringing. Why didn't Mrs. Moore support that statement? But this is all secondary. What is of primary importance is that the permit was dead as a door nail and extending it by Resolution #179 was simply illegal. Felske should have gone back to step one, reapply for Special Permit. Why didn't Mrs. Moore tell the Board this? As I said, I expect Joe Janoski to try anything to get over or around the law when it comes to developers. I'll give Vic and Jim the benefit of the doubt that they might not have understood the law. But the Town Attorney, Mrs. Moore, you have no excuse."

Supervisor Janoski: "Thank you. Steve you had your hand up."

Steve Haizlip, Calverton: "I think it was about a month ago now, that Mr. McKnight and I spoke about trying to get the speed limit lowered at the Calverton Deli. If my memory serves me well, there was a resolution to be passed and a letter to be written by the Board to the NYDOT asking about that. The question is: Was the letter written? Maybe I'd better come back up. The resolution, I know, was adopted last year. But, was the letter written? Have we gotten an answer on it?"

Councilman Lombardi: "Did we get anything on it Joe?"

Supervisor Janoski: "I really don't recall."

Councilman Lombardi: "We did send it though."

Steve Haizlip: "You did send it John?"

Councilman Lombardi: "It was sent."

Supervisor Janoski: "You're talking about the Calverton Deli near Edwards Avenue on Route 25. Is that what you are talking about?"

Steve Haizlip: "Yes."

Councilman Lombardi: "We did notify them, as far as I know and we are waiting for an answer. They take a little while Steve, quite awhile."

Steve Haizlip: "I know they are as slow as the seven year itch, it sticks to your behind and you have to scratch."

Supervisor Janoski: "I've got to write that one down. Yes sir."

Charles Cetas, Riverhead: "I am in total opposition to the recent vote of the Town Board to renew the Special Permit that

had been "originally granted in 1975 for the infamous Broad Cove Project proposed for Hubbard Avenue, Aquebogue. There is much reason to believe that this project, with its 400 to 500 units, would have very significant environmental impacts especially Terry's and Meetinghouse Creeks which have been declared Critical Environmental Areas. I believe that the above vote was illegal, since the Special Permit for this project expired in August, 1988. What precedent is there for renewing expired Special Permits?" In August, 1988 the Town Board refused to renew the Special Permit for this project, because among other reasons, the State Department of Environmental Conservation has sited the developer, Mr. Norman Felske, for over one half a million dollars of wetlands violations which include, illegal dredging, bulldozing wetlands, dumping sand and dirt in wetlands and so forth. The Town Boards decision not to renew the Special Permit has so far been upheld by the courts. After going through the trouble of legally defending its 1988 Decision at taxpayer expense, it makes absolutely no sense for the Town Board to suddenly change course. The Town Board's decision now, to renew the expired Special Permit, has in effect, given this project a new Special Permit without any Public Hearings, Scoping Hearings, Environmental Impact Studies or review by other concerned governmental agencies. All of which are required by the NYS Quality Review Act, SEQRA, only the old, outdated and inadequate Environmental Impact Studies, that the developers submitted to comply with the 1978 adoption of SEQRA are now being used to support the renewal of this expired Special Permit. I feel that this is totally ludicrous and unconscionable. This illegal vote perpetrated by the Republican majority or team as they prefer to be called, I feel makes a mockery and a joke of the permit process and the environmental review process in Riverhead Town. This vote makes it very clear to the people of Riverhead, that the Republican Team on the Town Board does not care the least bit about upholding SEQRA and cares even less about protecting Riverhead's fragile environmental areas. If this is the kind of team work, that we can expect from this Town Board over the next couple of years, I say, God save Riverhead. As all of our tax dollars will no doubt be going toward law suits and all of our beautiful creeks and marshes could well be bulldozed into oblivion. All for the sake of the private profit of rich developers. Is this the kind of team work that Riverhead needs to see it through the 1990's and into the 21st. Century? I don't think so. To say the least, I strongly urge the Town Board to rescind the illegal resolution to renew the expired Special Permit for the infamous Broad Cove Condo Project. Thank you."

Town Clerk, Irene Pendzick: "Mr. Cetas, would I be able to get a copy of that?"

Cathy Casey, Wading River: "I have a little change of pace, not to deter from what they were saying or to-----"

Supervisor Janoski: "Feel free."

Cathy Casey: "I have a few brief questions. There was an article in the Community Journal about two weeks ago with regards to the hours for the 7-11 that is planned for the corner of 25A and Wading River Manor Road. According to that article, a representative of 7-11 stated that the hour requirements, in other words, not being opened 24 hours a day, was not essentially part of their plan and that it really hadn't been discussed. What I'm looking for is some clarification from the Board as to whether or not where we stand on the number of hours based on the Hamlet Study that was done. Let me give you a little bit more of the information that I ascertained. There was a gentleman who was a resident and a member of the Board for the Hamlet Study or the Task Force, rather, by the name of John (inaudible) and when the Public Hearing was held, he specifically asked the question with regard to the 7-11 being allowed to be open for a total of 17 hours per day. At that time, to my understanding, the response was that it was an oversight in terms of putting a quote on quote "17 hour limitation into the Hamlet Study" and that it would be done. So I'm looking to clarify with the Board now, is whether or not you are going to allow within the guidelines of the Hamlet Study, which are already adopted, to restrict the 7-11 to be opened only for a number of 17 hours a day."

Supervisor Janoski: "Well, the Town government cannot restrict only the 7-11 to be opened so the recommendation I quite honestly favor it, because I was one of the people that suggested that there be hours of business built into the new zoning, which was put into place there, which was a business rural zone. It seemed to me that that type of zone didn't need to have businesses operating around the clock and we had talked in terms of maybe 6 A.M. until 11 P.M. or 6 A.M. to 12 P.M. or maybe as the name suggests 7 to 11. If that was an oversight, well that's one thing. I don't know how we will proceed on that. Certainly we will have to go through a process of public hearing to put that into zoning. I favor it and I think it's a good idea not only in Wading River, but wherever Rural Country Zoning exists. The Board may want to identify exemptions or exceptions. I don't; if they would. I don't know if they are necessary. It is certainly something that we should think about. So, yes, I would like to see the process go ahead. But it's not for 7-11, it is a business hours of restriction for the zoning."

Cathy Casey: "I agree. I don't think anybody here or anybody in the Town of Riverhead would disagree with you. Because we really don't want any businesses open 24 hours a day. If I may make a suggestion, that perhaps the Public Hearing Record be looked at to identify the question that was asked and what the response was and obviously for the Community I would like to say, please we really don't want to have that 24 hours a day. We all know that can lead to problems."

Supervisor Janoski: "Yes. I didn't see the Community Journal article and sometimes I worry. What did that article suggest?"

Cathy Casey: "That's why I'm asking. I didn't want to say, 'What are you doing?' I was asking so again, I was just checking."

Supervisor Janoski: "Oh."

Councilman Prusinowski: "Cathy, is the King Kullen open 24 hours a day in Wading River?"

Cathy Casey: "To my knowledge, no it is not. We have no businesses, to my knowledge, that are open 24 hours a day in Wading River, except, perhaps maybe -----I don't even think any of our gas stations are open for an emergency call either for towing and alike. To my knowledge there is nothing open."

Councilman Stark: "You have one."

Cathy Casey: "Which one is that?"

Councilman Stark: "Tuthill Funeral Home."

Cathy Casey: "Oh, ok. Well you know, death and taxes. My next question is: Route 25A, east of the Ice Cream Factory, then you have the professional buildings and that area was to be rezoned for additional professional buildings, the treed area in particular and then owner occupied condominiums. According to the Hamlet Study the recommendation was that there be a 50 foot buffer zone from 25A to where the development would start and a 50 foot buffer zone behind the end of the development which you recommended. I understand that there has been some kind of communication, or there will be, to the Town Board why the residents that back up to where they are currently developing that piece because they cut down trees like you never would believe. They would not leave any such thing as a 50 foot buffer zone. They cut down an awful lot of trees in the front and there is not a 50 foot buffer zone from 25A to the property piece. We are concerned that this is the first piece being developed after all the hard work and the money that was spent, for the Hamlet Study for the purpose of coming up with some well defined plans on developing of Wading River and carefully planning. Now, you have your first developer in there and he is blowing it away already."

Supervisor Janoski: "The plans were great. There has been communication and I'm happy to tell you that I had a Stop Work Order placed on that project. They are dead in their tracks. They can't touch anything until they come forward with a plan of restoration and the providing of a screen at the property line between their property and the residential area that they back up on. It's been suggested that that screen would be evergreens, a row of evergreens. I had at first suggested that they might want to put a fence. I had some second thoughts about that. Fences are somewhat ugly, they do block, but they're ugly. The architect for the project suggested a line of evergreens and I expect there has been communication with them, our planning people as

well as the member of the Architectural Review Board, former member, who was a landscape architect has been involved in this. We faxed to them some information today and we will expect back from them a proposal as to what it is that they are going to do to restore what they have taken down."

Cathy Casey: "In fairness, is just a row of evergreens going to really give them the buffer zone that had these people done what they were supposed to do in the first place. Is that really going-----"

Supervisor Janoski: "That's about it."

Cathy Casey: "Then we are going to be talking about 10 or 15 years down the road before we are going to have a proper buffer zone to-----I remember when we specifically asked "bring these people in on this."

Supervisor Janoski: "Well Cathy, we have professional people here who are engaged to protect the interest of the Town. Somebody has to have some faith that they are going to do their job. In addition to the line of evergreens I said that there should be restoration of that part which was taken down. The line of evergreens is an immediate screen. But that 50 feet now has to be restored in those areas where trees were taken down. Now, the maturity of the trees is something that will be determined, the caliper of the trunks, but we brought them dead in their tracks. There is nothing happening there. And that hurts them. A Stop Work Order was placed on them within minutes after I found out what happened. We will work it out as best and as fairly as we can."

Cathy Casey: "We appreciate it. We appreciate your putting the Stop Order on it. One final quick question. What's with our (inaudible) Peach and our Swan Restaurant?"

Supervisor Janoski: "We are going through the dangerous and hazardous building provision of the Town Code which is a set up procedure and we will eventually have a hearing and they will have three options. One is to fix it, to restore it, to renovate it. The second is to tear it down. If the first two are not chosen as options by the owner, the Town will exercise its right to demolish it and put the cost as a lien against their tax bill. I have to say that every time that we start a proceeding against them, all of a sudden there is a great deal of activity on their part in bringing in plans to the Planning Department and seeming to be following through on the renovation of their building. We are not going to be fooled any longer. This is the course we are taking, it's going to be followed through on and it's up to them to demonstrate that they are either going to fix it or they are going to tear it down. That's it."

Cathy Casey: "What is the time frame of this process?"

Supervisor Janoski: "How long does the process take about? (no answer could be heard) Whatever the process is. Let's say it's a couple of months. Because we do have to have a hearing and they are invited in to make their case to try to convince the Board of whatever they're going to try to convince the Board of. But those are the options that are open to them at this point. The project that building has been four years I guess now. It has been a comedy saga of errors in which I personally got involved with the original architect, who was designing parking that was on the side of a hill. The application to the Zoning Board to utilize parking in the municipal lot that's next door, to have that withdrawn for whatever reason. It's just so ridiculous now that we absolutely are following this course and that's going to be the end of it. Thank you Cathy. Alice."

Alice Graff, Riverhead: "I too, am opposed to Broad Cove and it is my understanding that after several years it still remains that the owner of that property has not done the restoration work that it was required to do in violation of the excavating and etc. that has been done and I don't see how you can give a permit to someone who has not even applied himself to the law thus far. Thank you."

Supervisor Janoski: "Thank you Alice. Steve, you've already been heard from. Sherry."

Sherry Johnson, Manorville: "I would like to take a few minutes of your time to also discuss your recent action concerning the Broad Cove Project at Terry's Creek. I stopped being surprised long ago at the actions approved and the decisions made by Riverhead Officials. But that doesn't mean that I have stopped being outraged by them. Five stories on Route 58, the handling of SEQRA for Mill Pond Commons and the notorious reputation for the hard nosed challenge to almost every single environmental initiative that has come along. Just when I think we can't get any lower, you prove me wrong. You cut a deal on Broad Cove. Less than two years ago, in August 1988, you denied this applicant another extension on his Special Permit. Hundreds, if not thousands of dollars, of taxpayers money was spent defending that decision in court and in the meantime this Creek is designated by the Town Board as a Critical Environmental Area. The resolution declared, and I quote from it: "The Town Board of the Town of Riverhead recognizes that the above areas, which included Terry's Creek, have exceptional and unique characteristics which requires the greatest degree of review for actions that might adversely affect such as in February, 1989 the Judge upheld your denial of the requested extension to that Special Permit. At that time both the Judge and the Supervisor said that the applicant would have to resubmit his application and a NEWSDAY quote has the Supervisor stating: "If he wants to use the land he has to re-apply for a permit or submit another application to the Town for some other use." Now all of a sudden you pull a figure out of the air and grant a Special Permit. And you offered to placate us, our concerns, with the supplemental DEIS. Well, with all

that has been learned about the bay, and all the information from the Long Island Sound Study that can be transposed to fit circumstances in the bay, a supplemental DEIS isn't going to cut it. According to part 617.2 of paragraph B13 of the State Environmental Quality Review Act: projects that require one or more new or modified approval from an agency or agencies constitutes an action. In this case by part 617.12 sub-paragraph B2, 6I or 1, 10 and 12 a Type 1 Action. A Type 1 Action that warrants full review and implementation of state of the art mitigating methods to insure that there will be no harm to the environment, particularly our Peconic Bay system. You owe no less than this to the people of Riverhead. Thank you."

Supervisor Janoski: "Thank you. George."

George Schmelzer, Calverton: "As far as that 7-11, I think it should be open 24 hours a day. If people don't like it, don't patronize it and it will close up 5 hours. It's as simple as that."

As far as Broad Cove I congratulate the new Board for using some common sense. People have a right to use their land. What's so sensitive about Terrell's Creek, whatever you call it, is it going to sink out of sight? Is it going to blow away? These environmental idiots, I'm sick of listening to them. I think they've got mental pollution or else they are a bunch of hypocrites or a combination of both. It is about time that we use some common sense around Town here. If they don't like Broad Cove, let them buy the G-----mn land and sit on it and look at it themselves.

Like some of these people in Wading River, you sit on a postage stamp lot, they want everybody else to have two acres though. Why don't they form their own incorporated village down there and let them stew in their own juice? Maybe better for the Town.

There is another thing though. This river nonsense. The scenic (inaudible) business."

Supervisor Janoski: "George you are too close to the microphone."

George Schmelzer: "Ok. Sorry. I think once upon a time it was two people down in a boat went in the river. It was Joe Janoski and Ken LaValle. We've got to protect this river. To bad Joe Sawicki wasn't along too, we could have said: "rub-a-dub-dub, three men in a tub, but it wasn't. I don't know what kind of mentality that is to protect the river. It turns out the only thing that you have to protect the river from is Joe Janoski, Sawicki and LaValle. That's all you've got to protect it from." Then I requested from the Town Clerk, let's see that file on that case. There is nothing in the file. Where do you have it in your desk or something all hidden, all these papers? Joe Sawicki said he got a letter from the Town requesting him to vote for that d---n thing and he said he can't find the letter. So I spoke to them and said, "How about having a meeting in the

Town Hall, not a Town Board Meeting, but just a meeting between the three of you yokels and so people can ask questions. No way. I don't think any of the three of them would want that. Would you? Supervisor?"

Supervisor Janoski: "It would be fine with me."

George Schmelzer: "How about writing a letter to them, inviting them to come to a meeting here, with the public invited. Would you like to do that?"

Supervisor Janoski: "Sure."

George Schmelzer: "How about doing it?"

Supervisor Janoski: "Ok."

George Schmelzer: "Do you think the Board would vote for that."

Supervisor Janoski: "The Board doesn't have to vote for it. I can write them a letter and ask them."

George Schmelzer: "Ok. Do you have a lot of stuff in your desk relative to that?"

Supervisor Janoski: "To the Peconic River?"

George Schmelzer: "Yes."

Supervisor Janoski: "I have a lot of stuff in the files. Yes."

George Schmelzer: "Well the Town Clerk had hardly any. Why is it hidden from the public then."

Supervisor Janoski: "Well you can inspect it anytime you want, George."

George Schmelzer: "Can I come in tomorrow to see all your file on the Peconic River? Will you let me see it?"

Supervisor Janoski: "Absolutely."

George Schmelzer: "Ok. Well I don't know what kind of mentality that is if a person will say they will vote for it and then the Town Board comes around, not this Town Board, and they like a bunch of wimps, they say the DEC can control up to Main Street and I guess to Calverton, screw the people down there, let's go back a half mile or so. Why? Why don't you go back to-----Who used the influence to get it backed up in the bay to Peconic Avenue. Who's influence was that?"

Supervisor Janoski: "If I understand your question correctly, it was myself."

George Schmelzer: "Yourself."

Supervisor Janoski: "Yes."

George Schmelzer: "That's good. Why didn't you back it up further to the Navy land in Calverton?"

Supervisor Janoski: "That was what we could do."

George Schmelzer: "What you can do? You mean you (inaudible) stop?"

Supervisor Janoski: "It stopped at the dam in Grangebelle Park?"

George Schmelzer: "You mean, screw the people in Calverton and get it moved back to Peconic Avenue."

Supervisor Janoski: "I wouldn't characterize it in that way, no."

George Schmelzer: "What!"

Supervisor Janoski: "I said, "I wouldn't characterize it in that way."

George Schmelzer: "How would you characterize it then?"

Supervisor Janoski: "Doing the best I could under the circumstances."

George Schmelzer: "Doing the best you can? That's the same thing, isn't it? Make a deal, bring it back to Peconic Avenue, screw the people west of here. (inaudible) Why did the Town Board, not this Board, the other Board, pass that resolution in compromising? Going to Main Street here and Calverton, way back in the river. No need for it. You could just as well told them we wanted nothing! Back to the Navy land and then you can do what you want. There is no private land there. It's really wild there too. It wouldn't hurt the economy. Maybe this Board has some more----so far, this Board has more common sense, maybe, I wish you would pass a resolution to say you don't want any controls along the river here, instead of having it moved to Peconic Avenue from the bay, moved west of Edwards Avenue, Calverton at the start of the Navy land. That would protect everybody and be the end of it. How about it?"

Supervisor Janoski: "It's an interesting concept, George. George, what three people did you want me to invite to the Town Hall here? LaValle, Sawicki and who else?"

George Schmelzer: "And you."

Supervisor Janoski: "Ok."

Councilman Prusinowski: "George, are you going to supply the canoe?"

George Schmelzer: "The paddle I guess. I have to supply an oversize tub with a hole in the bottom. See when you went down the river that time, to bad you didn't hit a stump, then you would have said, "Protect the river from stumps." To me, it has been nothing but a bunch of G-----n lies. One side, you say you're against it and Sawicki comes out, LaValle comes out. Oh we've got to protect the people in the DEC and the so and so's voted for it. Really! It's enough of this d--n nonsense."

Supervisor Janoski: "Well thank you George."

George Schmelzer: "Do you really mean it?"

Supervisor Janoski: "Absolutely!"

George Schmelzer: "Yea. I could say more, but I don't. Otherwise you wouldn't thank me. I hope you do something fast (inaudible) Because Sawicki follows LaValle around like a puppy dog doing whatever he wants. He hadn't found that letter for a year. So I wonder if there is a letter? Ok. Wish you would do something fast and put the bead on him so he has this meeting here. It could become very interesting."

Supervisor Janoski: "George, your five minutes has expired. I want to thank you very much. Betty."

Betty Brown, Aquebogue: "Good evening. My name is Betty Brown and I am the vice-president of the North Fork Environmental Council. I spent time researching the files on the Broad Cove Condominium Development. I attempted to speak to Board Members individually to try to understand what was the motivation behind the three votes to quietly and quickly approve a Special Permit for Broad Cove. I heard a lot about tax base. I heard a lot about the developer needing a permit to secure a loan and some about I've always been for this project. And let's not forget, this project has been around for a long time. Well frankly, the law requires what they call a documented hard look at impacts and gentlemen, you didn't even bother. Permits granted, and decisions made, must be based on facts, accurate and complete applications, detailed review of all possible impacts, public input, including County, State and Town agency coordinated review, to list just a few. The fact is, that the State Environmental Quality Review Act was enacted to force governmental decision makers to consider the environmental effects of their decisions before making them. This was clearly not done in the case of the Broad Cove decision. It seems, rather, that the economic hardship of the developer and his need to secure a loan was a top

priority and that the possible increase to the tax base made Mr. Prusinowski, Mr. Stark and Mr. Janoski, so enthusiastic that you neglected to follow the law. You neglected to require any environmental review on the single largest project in the Town of Riverhead. I won't go into any in-depth discussion of pollution, and traffic impacts and runoff and of all data that is in the file that is outdated and inadequate. You obviously just don't care. I ask you tonight, as I have asked you all week, rescind the resolution to allow the Special Permit for Broad Cove. I urge the Town Attorney to begin representing the Town Board and not the out of town developers. At the very least, I urge you to follow the law. If you choose not to, the Environmental Council has no choice, but to settle this question in court. This blatant violation is an abuse of discretion. You should hang your heads in shame."

Benja Schwartz: "I'll just read the statement that I prepared to make this as short as possible. It's regarding the project we've heard so much about tonight, the Broad Cove Project. This is an example of private economic interest being catered to and environmental interests being ignored. No one here, I don't think that anyone here is against prosperity and I don't think that anyone would deny that businessmen have a right to make a profit. But they have not right to profit at the expense of the public. When Environmental Impact Statements--- the process of Environmental Impact Statements is abused, as it has been in this case, becomes a problem and an obstacle. Instead of serving to protect our mutual interests, this process then functions to add considerably to the cost without benefit to the design of a project. However, SEQRA can be effective, if it is used as it is intended. When the spirit of the law is followed, a project should benefit by improved design and economy. A well planned project will essentially have complied with SEQRA before it begins. The current permit for the development of Broad Cove is designated as an extension of a Special Permit. The resolution granting this, so called extension, is in every way a violation of the legal authority of the Town Board. The minimal reference in this resolution to SEQRA is completely backward and it misuses or is missing basic elements of the State Environmental Law. It's no surprise then, that the entire permit is based on the irrational premise that the environmental review of the project will occur only after construction begins. This approach does not constitute sound environmental policies and practices as the resolution states. This approach does not constitute sound economic policy and practice. The renewal of the Special Permit for Broad Cove is no more than a capricious action, unsupported by the record and it is apparently an intentional abuse of governmental authority to benefit private interests. This project will not be constructed in this way. Please let's avoid the need for concerned citizens to sue the Town at their's and the Town's expense. Rescind the permit now and start the application process over. This time, next time do it right! Thank you."

Dick Benedict, Riverhead: "I just want to point out something that maybe the Town Board is not aware of. I've been reading in the paper or read an article where we plan on, I hope, repaving Middle Road. It's a mess. At least it's been a mess for awhile. But, there is some talk about widening Middle Road and maybe taking some turns out and spending a lot of money down there. I'd just like to point out that west of Ostrander Avenue, where it comes out on Middle Road, is one of the largest trees in the Town of Riverhead that I've ever seen. There is one tree that is a little bit bigger by St. John's in Wading River. I'm not sure if it is bigger, but before the bulldozers go down Middle Road and that tree only sits about 10 feet off Middle Road, I think we ought to take a look at it and maybe we could design around it."

Supervisor Janoski: "Well Dick, I don't know that you are going to see any bulldozers on Middle Road in the near future."

Dick Benedict: "Usually it's too late when someone discovers what they have done."

Supervisor Janoski: "What I mean is the Town Board has looked at the cost of this projected, proposed project and I would be very doubtful if the Town Board is going to fund that entire project. We might go about it in a phase approach. Certainly we will take a look at that particular tree."

Dick Benedict: "Maybe Townscape could put a sign on the tree. I've been in Town a long time and I find it most of the woods around here-----it's one of the largest trees in the Town of Riverhead, I'm sure of that. It's about 100 feet west on the north side of Middle Road where Ostrander comes out on to Middle Road. Right where the sump is by Zeltman. Thank you."

Supervisor Janoski: "Dick, I was thinking about you just the other day. Several months ago, when we were doing some hiring, and now that we have a Town Engineer put in place, I had suggested to you that when things were operating I would like to invite you down to see what is being done."

Dick Benedict: "This is the computer, planner, mapper----"

Supervisor Janoski: "That's right. Graphic---. When you have some time I would like to invite you down to see what we are doing."

Dick Benedict: "Ok. I'd like to take you up on that. Thank you."

Supervisor Janoski: "Is there anybody else who has not spoken? Ok. Way in the back there. Yes."

Charles Cetas, Riverhead: "I'd just like to make a suggestion on Middle Road. The pot holes there are like 2 feet deep,

some of them. I would suggest the Town or the Highway Department should at least put up some signs that the road is dangerous. Someone is going to get hurt there one of these days, going to lose control of their car, some people don't know the area. I know the area and it's curvy through there and one of these days someone's going to bust the front end of their car and run into a tree or something."

Councilman Stark: "They are doing some construction on drainage."

Charles Cetas: "Yes, I know, but put some signs up or something. At night you can't tell the condition of the road."

Vic Prusinowski: "I was talking to the Superintendent today and they are going to repave that portion of the road very shortly within the next two or three weeks. That's the top priority. We got additional money from the bond to-----"

Charles Cetas: "Next time you have a road in that condition, I suggest putting up some signs so people who don't know the area -----"

Councilman Stark: "I rode along there a couple of weeks ago and there were those night blinker lights on the horse type things and they were operating."

Charles Cetas: "But even then, that's really not enough. You need some signs there, this is a dangerous road, dangerous stretch of road."

Supervisor Janoski: "Steve, did I see your hand up."

Steve Haizlip, Calverton: "The lady from Wading River, I think her name was Cathy. She's speaking about ahhhh-----"

Councilman Stark: "Excuse me Steve. I had to tell him something. I'm sorry."

Steve Haizlip: "When I go, then you two can talk together. When I'm speaking, I want you to hear me. It's not good manners."

Councilman Stark: "That's why I apologized."

Steve Haizlip: "The lady from Wading River, I think her name was Cathy."

Supervisor Janoski: "Cathy Casey."

Steve Haizlip: "She was speaking about the contractors and the builders coming in and taking all of the trees down. Well, that brings to mind, the piece of land, the parcel of land across from Suffolk Life. I think one time they went in there and they were taking these trees all out and it was kind of on the sly. I

guess at that time there was nothing required for a permit to clear land."

Supervisor Janoski: "There was something required."

Councilman Prusinowski: "We stopped them and we stopped them again."

Steve Haizlip: "Ok. I see activity going on in there again."

Supervisor Janoski: "No you don't."

Councilman Prusinowski: "No you don't."

Supervisor Janoski: "We stopped them."

Steve Haizlip: "I did see activity. I'm not complaining about them doing it. I'm not against progress and the future and so forth. The only thing it brings to mind is, if they keep on ripping all of these trees, big trees out and I can't blame Dick for wanting to protect that one that he was talking about. We have got enough pollution now and with these trees, they have some effect. Again, I'm not one of these sky signers and so forth, but they do something with the oxygen so we don't breath it in. If they are going to take all of these trees out and your going to put buildings in, can we at least say, replace as many as possible. At least we will have some trees doing part of the job."

Supervisor Janoski: "Steve, you will be happy to hear that the law of the Town is that you cannot touch a tree on your property until you have an approved site plan that's gone through the review process. The reason that we do that is, so that we can identify trees that can be saved in a project, and of course we require landscaping to be part of a project. Those things are done. And shockingly, it was I that recommended that procedure. Isn't that amazing!"

Steve Haizlip: "Anybody that can come up with something good or a good idea for the environment. Hey, I'm for it. Unfortunately, all of these trees are knocked down up there. Maybe they will get replaced. As many as possible in the future."

Supervisor Janoski: "We are dealing with the folks who did that. Is there anyone else wishing to address the Town Board? George, you have five minutes and five minutes only. May I just advise you to use language befitting the Town Board Meeting. The last time you spoke I let something slide, but I'm not going to let it slide anymore."

George Schmelter: "What was it?"

Supervisor Janoski: "It was a profanity. Cuss words. Well let's not debate that let's-----"

George Schmelzer: "You said it. I said screwed. The seats are screwed to the floor. Lights are screwed to the ceiling."

Supervisor Janoski: "George, let's just get going."

George Schmelzer: "Speaking of trees, south of the river, some nut set fire to our woods last Spring, some guy from Riverhead, here. They didn't catch him, but he had him in his car and he recognized the car had been prowling around our land near the shooting range. He saw me one day and he turned around and drove out. If I wasn't there, there would have been a fire. He had flares in his back seat, gasoline; anyway, much of our land was burned over. I put in 2000 baby trees to make up for part of it. Later in the year the deer came along and snipped everyone off. Baby trees must taste good to the deer. So I called the DEC. Well, unless you're a tree farmer, there is nothing they can do. I said the deer can be poisoned, can't they. Oh, she blew her top. Don't you dare do that! I didn't say I would. So that's the situation that you've got with the DEC. They are so nutty that the rattlesnake now is an endangered species. That is written into the law. I don't know if Ken LaValle or Sawicki voted for that. If they did vote for that, they should dump some rattlesnakes in their back yard. But maybe they voted for the law to give the DEC the power to decide to do upon something like that. Imagine the rattlesnake an endangered species. Well, maybe the day will come, if they ever wipe out Aids, these environmentalists might worry about the Aids becoming an endangered species and they will have to inflict somebody with it just to keep the disease going. I feel that they are that nutty. Maybe some of these environmentalists will volunteer to be inoculated with a full virus of smallpox and polio."

Vic Prusinowski: "Hey George. Can I ask you a question? Could you just maybe direct something that's germane to the Town Board. Let's kind of lay off those kind of comments, ok. I'd appreciate it. I don't think it does you any good and it doesn't do us any good. We might have disagreements with certain individuals, but let's don't get personal about it. If you have something that pertains to us to listen to tonight, let's just knock off the personal stuff."

George Schmelzer: "I'm trying to show you how the DEC wants to save trees and the experience I had with them."

Vic Prusinowski: "I appreciate that comment, but just stick to the issues."

George Schmelzer: "There's nothing much you can do. I can tell you where the big trees are too, that I'd like to save them. But it's not in this town. I've planted plenty of trees and when

we have a dry season after they are put in, they die. So what can you do. If they have a wet season, they live, the d--n deer come along and chew them off. That's it. I've got several thousand trees coming in this Spring. I don't know what kind of luck I'm going to have. I wonder how many trees these environmentalists plant."

Supervisor Janoski: "Thank you George. Anyone else wishing to address the Board on anything? That being the case, we are going to take a recess, well deserved, and we will return twenty minutes of the hour of nine or 8:40 P.M.

R E C E S S

Supervisor Janoski: "The meeting will come to order. Alice Graff has requested the last word."

Alice Graff, Riverhead: "I have a comment on a Senior Citizens Advisory Council Committee or whatever it is called. The people that----- I don't mean to be a ----I don't even want to say it because it will sound like I'm making a derogatory statement. The people that come from away have basically taken over the Senior Citizen Groups and etc., etc. and our poor local people are much more quiet and laid back. The Advisory Council is always made up of people who are not local. What we consider local. I think they should have some people regardless-----

Supervisor Janoski: "What do you consider local, Alice? Alice what do you consider local?"

Alice Graff: "People that have lived here all of their lives."

Supervisor Janoski: "Alice, your Supervisor, therefore, is not local."

Alice Graff: "I know. That's another example. You should have more of a balance. There are people who would serve if they were asked, but they are not the kind of people who put themselves forward. I feel that it is an injustice to the local people."

Supervisor Janoski: "Did you have any suggestions of people you think should be included?"

Alice Graff: "There was one lady that wrote a letter here, Virginia Walters. Now she's a lifelong resident. Her mother was a teacher at the school. There is one person right here, that I saw on the list. I'm sure there are others. I just didn't think of it. As a matter of fact, I didn't think of it until I heard the reporter interviewing Henry Pfieffer. But I really think some local people should be asked to be involved in this."

Supervisor Janoski: "People who have lived here all of their lives."

Alice Graff: "Yes, that's very important."

Supervisor Janoski: "Do we also get kind of a tax break too, because we can't participate in the government and the goings on?"

Alice Graff: "Why not!"

Supervisor Janoski: "Why not. Good. Ok. Nora."

Nora Dirska, Riverhead: "I have lived in Riverhead more than twenty years and on Long Island about forty years. We have our green cards. I love you Alice. But we do have our green cards. I want the Riverhead people to know that. If people are civic minded enough, and get out and get to be known they will be gladly on any kind of a board, I'm sure. I don't think there is any kind of discrimination. Thank you."

Supervisor Janoski: "Let's take up the resolutions."

RESOLUTIONS #185 - 208 FOUND ON PAGES THROUGH
IN THE 1990 RESOLUTION BOOK

RESOLUTION #200

Supervisor Janoski: "Could we go back to that last resolution. I'd like to offer an Amendment that the bus that we have be included on that list. What is it a Blue Bird? The big bus that we have for the Recreation Department. I offer an Amendment that that be included on the list."

Moved by Supervisor Janoski and seconded by Councilman Stark

Supervisor Janoski: "It was out of sight and out of mind. We forgot about it because it was across the street over at Tryac, but it is something that is beyond repair. We are going to remove it from our ownership."

(It didn't make the paper) Barely audible.

Councilwoman Civiletti: "I was just about to ask that."

Supervisor Janoski: "That's gone. It's already printed. Alright then let it go. Never mind. Withdraw the Amendment."

Councilman Stark: "Withdraw the second."

Supervisor Janoski: "We have seven minutes remaining until the scheduled Public Hearing. We came pretty close in figuring this out tonight. Should have made the break a little longer, five minutes longer. Henry, why don't you tell us about the Senior Citizens Advisory Council. We have Lyn McDonald here who is our Senior Program Director. Did you want to say anything about the goals and objectives of these non-local people who are taking over."

Henry Pfeifer: "First of all I'd like to thank the Board and Miss Lyn McDonald for being wise enough to create such a Council as you have here. I had an opportunity in the last several minutes, to look at the listing of the personnel on there, and know perhaps 60 to 70 percent of them and each of them is a good Senior Citizen Representative, has been active in the Senior Programs for a considerable period of time and to me seem to be level headed people. I compliment you on what you have done. Regarding the Council, Suffolk County United East End Seniors Council, of which I am presently the President, for the seventh consecutive term, God help me, they can't get anybody else to take it. This is an umbrella group which represents the Senior Citizen Organizations out on the five East End Towns of Suffolk County. What we strive to do, is to get consensus among them, that is get input from their delegates, come to a consensus and speak for them as a single strong voice in the various echelons of government. At Town Boards, we do not only attend this Town Board Meeting. I think for the past eight or nine years, I think that the President of Riverhead's North Shore Senior Citizens Club, Miss Nora Dirska and myself have missed possibly one or two of the Town Board Meetings here. We also attend Town Board Meetings in Southampton, Southold and even have on occasion been out to East Hampton. So far, we have managed to stay clear of Shelter Island. We do have people, delegates from the various towns in there, and try to confide to us and ask us for help. In addition to this I'm Chairperson of the Riverhead Health Centers Community Advisory Board. We have been for several years, about eight years, been fighting to upgrade the health services to the people of Eastern Long Island. Those of you who are familiar with it at all, will remember about three or four years ago when they were in the dingy quarters upstairs in the County Center. I don't like to say who was able to move the Department of Motor Vehicles out down below, but we were highly instrumental in moving the Health Center down there into at least adequate quarters, to get equipment for them to serve the people, and to staff the center. In past year and a half we were also able to establish three satellite clinics being served out of the center. One in Amagansett, one in Southampton and one in Greenport. They're operating quite well using Practical Nurses and the Doctor on Board in the Center. For those of you who are not familiar with it, and I would suggest particularly the people on the Board here, might like to walk through the center. Might like to see what is available there and to indicate their support. At the

present time we have a problem. We have a large Prenatal Care care function there where the women who are in that interesting stage can come there after an eight week waiting period and receive all the services up to the actual delivery of the child. When they are about ready to give birth, they are taken over to Brookhaven Hospital, whereupon the doctors over there do what is necessary. It seems that Brookhaven Hospital now wishes to discontinue that and we find that there are some 150 to 180 ladies on an average per year without a place to go. So I'd ask you to look at this place, take an interest in it, perhaps if you feel so guided, since this is a Riverhead function, you might like to send a letter into Dr. Harris, to the County Executive. Thank you."

Supervisor Janoski: "You're a minute short, Henry. Steve."

Steve Haizlip: "Mr. Pfeifer, of course I have to speak to the Board first, but what Mr. Pfeifer said about establishing a Senior Citizen Advisory Council. I myself find since I've been retired, I'm having a lot of trouble with Social Security. Trying to get Medicare established and get the insurance and so forth going. Do you play any part in this Mr. Pfeifer?"

Henry Pfeifer: "Yes, if you have a specific problem with Medicare, Social Security and the like, I would recommend that you go directly to the Social Security Office here in Riverhead. If you find that you need, how will I say it, muscle support from the community, speak to us about your problem and we will be happy to accompany you or to take whatever other action we can to support your case."

Supervisor Janoski: "Thank you. Let the record show that the hour of 9.06 P.M. has arrived. The Town Clerk will please read the notice of Public Hearing."

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting for a Public Hearing to be held in the Riverhead Town Hall, Tuesday, March 20, 1990 at 9:05 P.M. to hear all interested persons who wish to be heard regarding an Amendment to the Town of Riverhead's 1985 Community Grant Development Application."

Supervisor Janoski: "Thank you. Andrea."

Andrea Lohneiss, Community Development Director: "The Town has successfully completed its 1985 Small Cities Community Development Block Grant and finds itself with a small amount of additional funds which we would like to spend for the acquisition of two vans for our Senior Citizen Programs. We have two programs specifically that rely on transportation. One is the Dial A Ride Program. We serve about 120 Senior Citizens a year who are without reliable transportation. The other one is the Handy-worker Home Chore Program. We have four handyworkers who share two vehicles, very, very old vehicles. They do home repair and

some light improvements for Senior Citizens who are unable to do so themselves. I'll entertain any comments that the Public wishes to make at this time."

Supervisor Janoski: "Thank you. Alice."

Alice Graff: "Only a question about the vans. I have had people speak to me about; sometimes because of their slight handicaps, the step is high. Is there a possibility for this situation?"

Andrea Lohneiss: "Yes, that was the main point I wanted to make was that our current vans are not handicapped accessible and the proposed van for the Dial A Ride Program will have the hydraulic lift that enables the wheelchair or even somebody with a cane who cannot handle the steps to be lifted into the van."

Supervisor Janoski: "Will the vehicles and the services be available to locals or to people who are new in the community also." (laughter)

Andrea Lohneiss: "Any person over the age of 60."

Henry Pfeifer: "You know that I have been affiliated or concerned about Senior Citizen Affairs for quite sometime. I strongly support this proposal to amend Riverhead's 1985 Community Development Grant Application which would provide much needed special transportation to serve the elderly of our Community. Many older people in our society suffer the pain of solitary confinement, because they are locked into their own homes or apartments or neighborhoods and are unable to move outside the limits of their immediate area. Bus transportation for the elderly becomes an important aspect of any consideration of needs. If there is no appropriate transportation to take many older persons to a shopping center or a Senior Program, they are confined within the walls of their domiciles. Without the ability to travel for medical help or recreation or any other activity, the older community is unable to be a participant in life. Most older people suffer from some age cause immobility. I know that certain things that I used to do three or four times weekly have diminished to perhaps to once weekly, even then I do it weekly. I'm speaking of bowling of course. Even if you are well off, there comes a time when they should no longer drive their own cars and two widows who were driven by their husbands and never learned to drive, need transportation. For those who do use Public Transportation the fares are often too high. The scheduling or routes are inconvenient or the buses are designed in such a way that old people cannot use them. Buses pose problems of doors that open or close too quickly, or need force in being opened, or steps which are too steep for easy access. Crowding demands quick reaction time and strength in standing up or pushing. The cost and difficulty of transportation may keep the elderly from seeking much needed medical attention. The manner in which it treats its children and its elderly is a

measure of a society and of it's administrators. I'd like to think that Riverhead is a civilized, caring, society and I urge you to adopt this amendment. Thank you."

Supervisor Janoski: "Thank you Henry. Eddie."

Ed Purcell, Jr., Riverhead: "I think this is a good idea, but when you spec out the van that you are going to have a lift into it, would you please check with possibly a bus company that has had a lot of background in lift handicap transportation. There are some lift manufacturer's out there that are fly by nights. They end up going out of business and then you won't be able to repair them. It will be very costly for the Town. That's kind of my expertise. That should be done. Not just spec it out so that you'll end up with the cheapest lift set up. So you'll have something of more quality. Thank you."

Supervisor Janoski: "Thank you Eddie. Anyone else. Lyn."

Lyn McDonald, Sr. Citizen Program Director: "Each week we turn away at least one person who is handicapped and since the vehicles that we have are not accessible to them. If they are in a wheelchair or if they walk with a walker, they can't get in and out of the van. The idea behind the van, besides the grocery shopping, which is important for them, is in the afternoons we do a lot of doctor appointments and these people have to find other ways to get there because we just are not equipped to deal with them. This would be a real boom to the program."

Supervisor Janoski: "Is there anyone else wishing to address the board. That being the case, without objection, I declare this hearing to be closed. Now let us take up the resolution which authorizes this change."

Irene J. Pendzick, Town Clerk: "Resolution #196, Mr. Lombardi."


Councilman Lombardi: "Authorizing Amendment to FY85 Community Development Block Grant. So moved."

Seconded by Denise Civiletti.

Vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes. 5 Yes.

There being no further business on motion or vote, the meeting adjourned at 9:12 P.M.

IJP:ch


Irene J. Pendzick
Town Clerk